

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JANICE A. JONES,

Plaintiff

vs.

CHRISTOPHER HUTCHISON,
et al.,

Defendants

Case No. 2:08-cv-02082-HGD

PARTIAL DISMISSAL ORDER

On August 13, 2010, the magistrate judge's report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by either the plaintiff or the defendants.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge, and it is, therefore,

ORDERED, ADJUDGED and DECREED that the Motion to Dismiss filed by defendants City of Birmingham and Christopher Hutchinson (Doc. #31) is due to be

and hereby is GRANTED as to plaintiff's state law claims against the City of Birmingham for assault and battery and false imprisonment (and, to the extent the complaint may be read to allege same, false arrest). It is further ORDERED, ADJUDGED and DECREED that the motion to dismiss is due to be and hereby is DENIED as to plaintiff's state law claims against Christopher Hutchinson, in his individual capacity, for assault and battery, false imprisonment and false arrest, and DENIED as to plaintiff's claims pursuant to 42 U.S.C. § 1983 against the City of Birmingham and Christopher Hutchinson, in his individual capacity.

DONE this 15th day of September 2010.

A handwritten signature in black ink, appearing to read 'Inge Prytz Johnson', is written above a horizontal line.

INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE